

EXHIBIT D

ASTELLAS PHARMA INC., ASTELLAS
IRELAND CO., LTD., and ASTELLAS
PHARMA GLOBAL DEVELOPMENT,
INC.,

Plaintiffs,

v.

LUPIN LTD., LUPIN
PHARMACEUTICALS, INC., ZYDUS
PHARMACEUTICALS (USA) INC., and
ZYDUS LIFESCIENCES LIMITED,

Defendants.

C.A. No. 23-819-GBW-CJB

WHEREAS, the Court having considered the parties' letters regarding potential preliminary injunction proceedings, and having issued an Oral Order (D.I. 83) regarding the same; and

WHEREAS, the parties having conferred and agreed to submit a proposed schedule for potential preliminary injunction proceedings that is consistent with the Court's Oral Order (D.I. 83), with certain modifications;

IT IS HEREBY ORDERED that the following deadlines shall apply:

ME1 47409282v.1

January 18, 2024	Astellas shall elect no more than 3 claims to present during preliminary injunction proceedings
January 19, 2024	Defendants shall elect no more than 3 invalidity defenses (collectively) to present during preliminary injunction proceedings (each combination of prior art under Section 102 or 103 shall count as an individual defense, but grounds for defenses under Section 112 shall not be so limited), selected from the defenses presented by Defendants in their January 5, 2024 invalidity contentions
January 26, 2024	Astellas files any motions for preliminary injunction and supporting declarations, inclusive of addressing invalidity defenses raised by Defendants and objective indicia
February 6, 2024	Deadline for Astellas to provide declarants for deposition
February 13, 2024	Defendants file oppositions to motions for preliminary injunction and supporting declarations
February 28, 2024	Deadline for Defendants to provide declarants for deposition
March 6, 2024	Astellas files any reply briefs, and any motions for leave to submit supplemental declarations (absent agreement of the parties or order of the Court, no reply declarations will be considered)
72 hours before hearing	Parties identify witnesses appearing live or by deposition at the hearing and provide order of witnesses
48 hours before hearing	Parties provide any deposition designations to be played at the hearing
24 hours before hearing	Parties provide objections and counter-designations to be played at hearing

12:00 pm ET, day before the hearing	Parties exchange demonstrative exhibits and exhibit lists for opening statements and witnesses
5:00 pm ET, day before the hearing	Parties exchange any objections to demonstrative and documentary exhibits
7:00 pm ET, day before the hearing	Parties meet and confer to resolve any objections to deposition designations, demonstrative exhibits, and documentary exhibits
[March] _____, 2024 at _____ am/pm (at the Court's convenience)	Preliminary Injunction Hearing

Dated: January 18, 2023

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Dated: _____

United States Magistrate Judge